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[Attorneys for Plaintiff Ashok Arora](#)

Attorneys for Plaintiff Arora

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

**IN RE: MIDLAND CREDIT
 MANAGEMENT, INC.,
 TELEPHONE CONSUMER
 PROTECTION ACT LITIGATION**

Case No. 11-md-2286-MMA (MDD)
 Member cases: 10-cv-02261
 10-cv-02600
 10-cv-02368
 10-cv-02370

**MOTION BY DANIEL A.
 EDELMAN, CATHLEEN M.
 COMBS, JAMES O. LATTURNER,
 AND CASSANDRA P. MILLER TO
 WITHDRAW AS COUNSEL FOR
 PLAINTIFF ASHOK ARORA;
 MEMORANDUM OF POINTS AND
 AUTHORITIES; DECLARATION
 OF COUNSE IN SUPPORT
 THEREOF.**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT Plaintiff Ashok Arora (“Arora”) respectfully respects pursuant to Local Rule Civ.L.R. 83-3(g)(3) that Daniel A. Edelman, Cathleen M. Combs, James O. Latturner, and Cassandra P. Miller be permitted to withdraw as counsel in the present action.

1 Dated: June 10, 2016

By: /s/ Daniel A. Edelman
Daniel A. Edelman
EDELMAN, COMBS, LATTURNER
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MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

Plaintiff's Counsel, Daniel A. Edelman, Cathleen M. Combs, James O. Lattuner, and Cassandra P. Miller, by this Motion, seek an order of the Court, pursuant to Civ. L.R. 83.3(g)(3), allowing Edelman, Combs, Lattuner & Goodwin, LLC, and each, every and all of its attorneys, to withdraw as counsel of record for Plaintiff Ashok Arora ("Arora"). Counsel seeks to withdraw from representation with the consent of its client, Plaintiff Arora. On or about March 4, 2016, Plaintiff Arora submitted his request to opt out of the class action settlement currently pending before this Court with the intent to pursue his individual claims originally asserted in, and transferred from, *Arora v. Midland Credit Management, Inc., et al.*, Case No. 15-cv-06109 (N.D. Ill.).

II. GOOD CAUSE EXISTS TO ALLOW COUNSEL TO WITHDRAW

A. Plaintiff has Consented to the Withdrawal

Plaintiff Arora has consented to the withdrawal.

B. There has Been a Breakdown in Communication Which Prevents Counsel from Adequately Represented the Rights of Plaintiff Arora

The attorney-client relationship between plaintiff and Counsel has deteriorated to the point where counsel does not believe they can continue to represent plaintiff. In addition, on January 25, 2016, plaintiff sent Counsel correspondence terminating the attorney client relationship. Subsequently, plaintiff agreed to continue working with Counsel. On March 14, 2016, plaintiff again withdrew his authority for Counsel to take any action on his behalf. On June 8, 2016, plaintiff requested that Counsel withdraw from this pending litigation. Under the circumstances, Counsel is required to request leave to withdraw as plaintiffs' counsel.

1 **III. A WITHDRAWAL WILL NOT CAUSE DELAY OR PREJUDICE**

2 Allowing counsel to withdraw will not cause delay in this action, nor any
3 prejudice to Plaintiff Arora because Plaintiff Arora has submitted a request to opt out
4 of the pending Class Action Settlement and intends to pursue his individual claims
5 originally asserted in, and transferred from, *Arora v. Midland Credit Management,*
6 *Inc., et al.*, Case No. 15-cv-06109 (N.D. Ill.). Thus, withdrawal of counsel should
7 have no impact on the timeline of the litigation.

8 **IV. CONCLUSION**

9 For all the foregoing reasons, Plaintiff's Counsel, Daniel A. Edelman,
10 Cathleen M. Combs, James O. Lattuner, and Cassandra P. Miller, by this Motion,
11 seek an order of the Court, pursuant to Civ. L.R. 83.3(g)(3), allowing Edelman,
12 Combs, Lattuner & Goodwin, LLC, and each, every and all of its attorneys, to
13 withdraw as counsel of record for Plaintiff Arora.

14
15 Dated: June 10, 2016

By: /s/ Daniel A. Edelman
Daniel A. Edelman
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& GOODWIN, LLC
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Attorney for Plaintiff Arora

DECLARATION OF DANIEL A. EDELMAN

I, Daniel A. Edelman, declare and states as follows:

1. I am the leading attorney for Plaintiff Ashok Arora and a member of Edelman, Combs, Lattuner & Goodwin, LLC. I have personal knowledge of the matters set forth below, and if called on to testify as a witness, I could and would do so competently.
2. Edelman, Combs, Lattuner & Goodwin, LLC was retained by Ashok Arora, in the original action *Arora v. Midland Credit Management, Inc., et al.*, Case No. 15-cv-06109 (N.D. Ill.), which was subsequently transferred to the present action.
3. On or about March 4, 2016, Plaintiff Arora, through counsel, submitted his request to opt out of the present class action settlement with the intent to pursue his individual claims originally asserted in, and transferred from, Case No. 15-cv-06109 (N.D. Ill.).
4. The attorney-client relationship between plaintiff and Counsel has deteriorated to the point where counsel does not believe they can continue to represent plaintiff.
5. On January 25, 2016, plaintiff sent Counsel correspondence terminating the attorney client relationship. Subsequently, plaintiff agreed to continue working with Counsel. On March 14, 2016, plaintiff withdrew his authority for Counsel to take any action on his behalf. On June 8, 2016, plaintiff requested that counsel withdraw from this pending litigation. Under the circumstances, Counsel is required to request leave to withdraw as plaintiffs' counsel.

I declare under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct and that I execute this declaration on June 10, 2016.

s/Daniel A. Edelman

Daniel A. Edelman

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CERTIFICATE OF SERVICE RE:
MOTION TO WITHDRAW AS
COUNSEL FOR PLAINTIFF
ASHOK ARORA

I, Daniel A. Edelman, hereby certify that on June 10, 2016 a copy of the
 following documents were served on all counsel of record who are registered
 with the Court's electronic case filing (ECF) system by operation of the
 ECF system:

(1) Motion by Daniel A. Edelman, Cathleen M. Combs, James O.
 Latturner, and Cassandra P. Miller to Withdraw as Counsel for Plaintiff Ashok
 Arora

(2) Memorandum and Points of Authorities

1 (3) Declaration of Counsel in Support Thereof

2 (4) Certificate of Service

3 /s/Daniel A. Edelman

4 Daniel A. Edelman

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